

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARY HEINRICH, as Executor of the Estate of Catherine Butler a/k/a Catherine Butler Muzio a/k/a Catherine T. Butler Muzio; MARY HEINRICH, as Trustee for the Catherine Butler Muzio Living Trust; MARY HEINRICH, as Trustee for the Leonard Muzio Living Trust; and MARY HEINRICH, in her individual capacity,

Plaintiffs,

-against-

MALAYENE DEAN, CHARLES YASSIM a/k/a Charles Yassin, MORGAN STANLEY SMITH BARNEY, LLC, HORACE M. BARKER, CITIBANK N.A., and JOHN DOES 1-10,

Defendants.

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Case No. 21-cv-10657-VEC

~~PROPOSED~~ ORDER
STAYING ACTION
AGAINST DEFENDANTS
MORGAN STANLEY SMITH
BARNEY, LLC AND
HORACE M. BARKER
PENDING ARBITRATION


Pursuant to the stipulation between Mary Heinrich, as Executor of the Estate of Catherine Butler a/k/a Catherine Butler Muzio a/k/a Catherine T. Butler Muzio, Mary Heinrich, as Trustee for the Catherine Butler Muzio Living Trust, Mary Heinrich, as Trustee for the Leonard Muzio Living Trust, and Mary Heinrich, in her individual capacity (“Plaintiffs”) and Defendants Morgan Stanley Smith Barney, LLC and Horace M. Barker (“the Morgan Stanley Defendants”), and good cause appearing, it is hereby ordered, adjudged and decreed that:

1. Plaintiffs shall submit the claims asserted in this action against the Morgan Stanley Defendants to final and binding arbitration.
2. Plaintiffs’ claims against the Morgan Stanley Defendants in this action are hereby stayed pending the conclusion of the arbitration; and

3. This Court shall retain jurisdiction over this matter pending the conclusion of the arbitration.

IT IS SO ORDERED.

Dated: March 3, 2022



Hon. Valerie E. Caproni
United States District Judge